

# **EXHIBIT A**



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**FEDERAL BUREAU OF INVESTIGATION**

Date of entry 03/23/2023**DOCUMENT RESTRICTED TO CASE PARTICIPANTS**

This document contains information that is restricted to case participants.

On March 7, 2023, **Per. 40** [PROTECT IDENTITY], date of birth **Per. 40**, social security account number **Per. 40**, **Per. 40**, cellular telephone number **Per. 40**, was interviewed in person by United States Department of Justice (DOJ) Assistant Special Counsel Karen Gilbert and DOJ Assistant Special Counsel Anne McNamara. Assisting in the interview were Federal Bureau of Investigation (FBI) Special Agent (SA) **FBI 20** and SA **FBI 2**. Also present during the interview was **Per. 40**, attorney representing **Per. 40**. The interview took place at **Per. 40**, Washington, DC 20036. After being advised of the identities of the interviewing attorneys and participating agents, the nature of the voluntary interview, and the substance of Title 18 United States Code Section 1001, **Per. 40** agreed to have the interview audio recorded with **Per. 40**'s concurrence, and provided the following information:

[**AGENT NOTE:** Pursuant to Section 18.5.6.4.17.2.2 of the Domestic Investigations and Operations Guide, the start date and time of the audio recording was March 7, 2023 at approximately 10:04AM and the end time was approximately 12:39:15PM. A recording device was placed in the interview room for the duration of the interview. One or both of the interviewing agents maintained positive control of the device at all times to fully capture statements made. The documentation of the interview in this communication is not a verbatim account of all statements made. Rather, it is to provide a summary of the interview based on observations made and information gleaned by interviewing agents. The original recording of the interview is maintained at the FBI's Washington Field Office.]

**Per. 40** wrote numerous emails and notes during **P. 40** time in the TRUMP administration regarding the topic of records management and handling of Presidential Records materials. Those materials may be available through the National Archives and Records Administration (NARA). A distinct process

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Investigation on 03/07/2023 at Washington, District Of Columbia, United States (In Person)File # **Per. 40** Date drafted 03/08/2023by **FBI 20, FBI 2**

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would need to be followed to obtain them.

[Agent Note: Throughout the course of this interview, interviewing attorneys and agents went through copies of notes, page-by-page, originally written by Per. 40 and provided to the United States Government (USG). What follows is information Per. 40 provided with respect to the notes provided to the interviewing agents, by page number, with concurrence.]

[Page 1 of Notes]

Per. 40 called Gary STERN from home on July 4, 2021. STERN relayed to Per. 40 a conversation he [STERN] had with Per. 38 regarding the return of records to NARA. In this conversation, STERN and Per. 38 discussed that NARA was "pissed off" about the lack of responsiveness to their efforts to recover 45th Administration Presidential Records (PR). STERN told Per. 40 either Per. 38 or Per. 27 had found the North Korea letters, but they were not sure about the location of the "Obama letter." Per. 38 claimed there were boxes of documents in Florida that had not been reviewed for PR. Per. 27 wanted to talk with Per. 40 about the records because P.27 felt all records had been returned to NARA or Per. 40. Per. 40 was not comfortable speaking alone with Per. 27 because P.40 was now [REDACTED]. Per. 40 was not surprised the North Korea letters were found amongst several items that the former President of the United States, Donald TRUMP (FPOTUS), valued highly. FPOTUS was "fond of certain documents" to include the North Korea letters. FPOTUS liked to keep documents near him because, according to Per. 14, he did not "trust the system." FPOTUS seemed to like to keep certain types of documents he was fond of, and many of these documents regarding these topics did not ever come to the White House Office of Records Management (WHORM). Such topics included the "Salute to America" military celebration for July 4, and immigration issues.

According to Per. 14, there were approximately two dozen boxes of documents in the residence that FPOTUS did not want to turn over to WHORM. Per. 40 and Per. 14 tried to think of ways to obtain the documents, but ultimately the documents needed to go to NARA, if they did not come to WHORM. When Per. 40 brought up that all documents would need to go to NARA, Per. 14 responded "NARA and what army?" would be able to procure the documents from FPOTUS. These additional boxes were often referred to as a "separate archive" of material. Of the missing documents, the hurricane map was the one most often asked about. Per. 2 told Per. 14 P.2 had seen the hurricane map and the additional boxes in the residence. Per. 40 believed when Per. 2 referred to the residence, P.2 was actually referring to an area somewhere "off of the oval office", and not the actual residence, but Per. 40 was not sure. In

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addition to the others knowing documents were missing, Per. 40 believed the White House Counsel's Office and the National Security Council (NSC) Records Office were aware of the documents. Per. 40 and Per. 14 tried to think of ways to obtain the documents, including Per. 40 and P. 40 staff going to acquire them. On certain occasions, White House military aides, cleaning staff, and other White House personnel would gather burn bags, trash, and other documents to provide them to WHORM. This process was implemented by Per. 45 [REDACTED]. This often required putting documents back together and attempting to fix damaged documents.

**[Page 2 of Notes]**

Per. 40 had a phone conversation with David FERRIERO, the Archivist of the United States, on August 30, 2021. FERRIERO asked Per. 40 about the missing documents P. 40 had discussed with STERN. FERRIERO was told by Per. 27 that FPOTUS and his representatives only had a few boxes of documents, and these boxes consisted of newspaper clippings. During a call on or around January 17, 2021, which included Per. 27, Per. 37, and Per. 38, Per. 27 indicated there were no boxes or documents in the possession of FPOTUS, and if there were documents, they were not Presidential Records.

**[Page 3 of Notes]**

Per. 40 had a meeting on or about August 31, 2021 with President Joe BIDEN's [REDACTED], [REDACTED], to inform [REDACTED] about P. 40 phone call with FERRIERO. [REDACTED] was made aware of the outstanding documents issue with NARA and advised Per. 40 to speak with White House Counsel Dana REMUS, and Jonathan SU, also from the WH Counsel's Office. The next day, Per. 40 met with [REDACTED] and SU to inform SU of the issue. Per. 40 worried about P. 40 job because if FPOTUS were reelected, P. 40 may [REDACTED]. SU informed P. 40 he would try to "wall him Per. 40 off" from the matter. SU said he would speak with Per. 38 and Per. 37.

**[Page 4 of Notes]**

Per. 40 had a phone call with FERRIERO on or about August 31, 2021 regarding the missing documents from the TRUMP administration. FERRIERO did not believe NARA had received the documents from FPOTUS. FERRIERO informed Per. 40 that Per. 27 wanted to speak with Per. 40 directly, which Per. 40 did not want to do. Per. 40 stated that P. 40 would only talk to Per. 27 with other people involved in the conversation. FERRIERO then told Per. 40 that he would soon be forced to assume unreturned documents were destroyed, and would notify Congress and the Department of Justice (DOJ) of this if they were not returned.

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On or about September 1, 2021, Per. 40 had a call with STERN to go over Per. 40's recollections of missing documents, previous conversations, etc. to prepare a draft letter to DOJ and Congress. On September 3, 2021, STERN called Per. 40 and let P. 40 know that Per. 27 had recently told FERRIERO that P. 27 was just hearing about documents being missing for the first time. Per. 40 did not believe this to be an accurate statement by Per. 27, because P. 40 had had several prior discussions with Per. 27 about this very issue.

**[Page 5 of Notes]**

Per. 40 had a phone call with SU, in which Per. 40 told Per. 27 that Per. 27 told "someone from records," had told Per. 27 there were no further outstanding records and this issue was resolved. It was very unlikely Per. 27 had spoken to anybody from Per. 40's staff and Per. 40 had never said this. Per. 27 claims that somebody from WHORM told P. 27 there were no outstanding records were "bullshit."

On this call, Per. 40 asked SU if P. 40 faced any legal exposure for this records matter or for having a call regarding the matter with Per. 14, Per. 27, and others. SU initially advised Per. 40 that P. 40 would not face any exposure, but then somewhat backtracked by telling P. 40 there was "always a chance", but he didn't think so. SU advised Per. 40 he would be serving as Per. 40 attorney on the call and for this matter.

The next day, Per. 40 had another call with SU in which Per. 40 advised SU P. 40 would take part in the phone call. Per. 40 requested notes from the 45th Administration, as well as the notes of Per. 39. P. 40 also requested Per. 39 be on the call.

**[Page 6 of Notes]**

Per. 40 took some notes to prep for a phone call with Per. 14, Per. 27, SU, and others. These notes were for P. 40 own reference, noting dates of events.

**[Page 7 of Notes]**

In notes taken in anticipation of the call with Per. 14 and Per. 27, Per. 40 noted FPOTUS had "habits" regarding the handling of White House documents. These habits included destroying documents, tearing them up, and/or throwing them away. Per. 40 and WHORM brought this treatment of records to the attention of the Staff Secretary's office, but this did not have much effect, despite FPOTUS having been informed that he should not destroy documents in such a manner. These habits did not change after Politico published an article regarding FPOTUS' handling of Presidential Records.

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Per. 40 also noted specific categories of documents that WHORM and NARA had not received from the 45th Administration. In particular, this included material related to the "Salute to America" military parade, cabinet meeting documents, and immigration issues.

**[Page 8 of Notes]**

These notes were typed notes mirroring those on Page 7 that Per. 40 used for the call.

**[Pages 9-13 of Notes]**

These were notes taken by Per. 39 of the meeting between Per. 40, Per. 39, SU, Per. 38, and Per. 27. Per. 14 was ultimately not on the call, as had been intended. For this reason, there was never an ability to confront Per. 38 or Per. 27 on their claims. On the call, there were several instances in which Per. 27 or Per. 38 attempted to push back on Per. 40 and discredit P. 40 claims. When it was mentioned Per. 2 had seen boxes in the residence, Per. 27 and Per. 38 stated Per. 2 never would have been able to be in the residence to see anything. Per. 27 also stated Per. 14 had told P. 27 all of the documents had been returned. Per. 40 knew this to be inaccurate, as Per. 14 would not have told P. 27 that. Per. 40 clarified P. 40 never saw any boxes, but P. 40 was told by Per. 14 in 2019 there were approximately 24 boxes in FPOTUS' residence at the White House. Per. 27 continually pushed back on this statement from Per. 40 and appeared to want a narrative that there were no records with FPOTUS, but if there were documents, they were not PR. Per. 40 believed Per. 27 was not telling the truth about this, and Per. 27 was fully aware P. 27 was not being truthful. Per. 40 felt that Per. 38 became uncomfortable with the direction that Per. 27 and others in FPOTUS' orbit took regarding these documents, because Per. 38 did not believe everything Per. 38 was being told was correct. Per. 38 stated if there were records, they would be in storage somewhere, and they could look for them.

Per. 40 recalled telling Per. 14 if the records did not get to WHORM, they should at least go to NARA at the end of the administration. Later on the call, Per. 27 stated if there were two boxes that came to NARA, maybe they were the last of the 24 boxes. Per. 40 did not believe this to be the case. When Per. 40's expertise was diminished by Per. 38 or Per. 27 on the call, STERN supported Per. 40 as an expert at [REDACTED], citing Per. 40's work [REDACTED] Per. 40 and P. 40 needed to be allowed to do that. At the end of the call, Per. 27 stated P. 27 had never heard of 24 boxes of documents being present, but P. 27 would go to Mar-a-Lago and look in the near future. Per. 27

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stated P.27 had a good idea of what a federal record was and would be able to tell upon review. Per. 40 felt that either Per. 27 did have a good idea and had done a very poor job, or P.27 did not actually have a good idea of what Presidential Records would be.

**[Page 14 of Notes]**

Per. 40 had a conversation with Per. 14 in which Per. 14 told P. 40 that FPOTUS did not trust "the system," and therefore FPOTUS kept the boxes of documents separately. Per. 14 relayed FPOTUS felt he had been "burned" before by leaks of documents and if he kept the documents to himself, then nothing could leak. Per. 40 was made uncomfortable by this because P. 40 was part of the "system" FPOTUS did not trust, and P. 40 was nervous P. 40 would not receive all of the records from FPOTUS. Per. 40 was not sure if Per. 14 ever really knew what was in the documents, though Per. 40 believed it was reasonably likely there was a mix of classified documents and other Presidential Records, because P. 40 was used to receiving similar mixes of documents from FPOTUS. Per. 14 later told Per. 40, Per. 13 was also aware of the boxes of documents, prior to Per. 14 leaving Per. 14's role.

Per. 40 had noted there were several instances within the BIDEN administration where P. 40 was not receiving all appropriate records. P. 40 had a call with the relevant individuals to resolve this. Since the call, the records-keeping process was possibly the best it had been in his tenure.

**[Page 15 of Notes]**

Per. 40 had a call with STERN in which STERN told Per. 40. Per. 38 wanted "out." Per. 40 took this to mean Per. 38 did not want to be a part of this records issue anymore. Per. 38 would not defend FPOTUS' assertion of privilege over the documents. Per. 38 told STERN it would be Per. 40's word against FPOTUS and his team. STERN replied that Per. 40 was a [REDACTED] in this area and P. 40 word was good. STERN then said Per. 27 and FERRIERO needed to talk about this matter. STERN then told Per. 40 the next possible steps might be to go to the DOJ or Congress.

**[Page 16 of Notes]**

These notes were documenting some PR from the 45th Administration, which had been found in the residence, in the process of being turned over to WHORM. Such finds were fairly standard and normal, but none of the materials were items Per. 40 had been looking for.

[Agent Note: At this point, DOJ attorneys switched to the "Older Notes" set

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of notes in order to review them with Per. 40 [REDACTED]. They will be maintained in an attached 1A as "Older Notes" and referenced beginning as "Page 1 of Older Notes" and so on.]

**[Page 1 of Older Notes]**

The notes were taken by Per. 40 [REDACTED] for a meeting from June 19, 2018. Per. 40 [REDACTED] had a meeting with Per. 14 [REDACTED] about ways to preserve the documents during the administration and keep them as records, including putting sticky notes on documents, scanning them into their system before providing them to FPOTUS, and other methods. Page 1 of Older Notes specifically referenced the North Korea and Kim Jong-un correspondence.

**[Page 2 of Older Notes]**

Per. 40 [REDACTED] had a meeting on August 22, 2018 with Per. 47 [REDACTED] and [REDACTED]. They discussed removing OBAMA-era records on MAX, a United States Office of Management and Budget records management system, as they had already been provided to NARA. They also discussed whether or not CCTV footage from buildings in the administration would count as PR and if it should be provided to NARA. They further discussed a letter to NARA about the status and condition of PR. NARA requested information on why documents were coming to NARA that were damaged. No letter of explanation was ever sent back to NARA to account for the condition of these records. Per. 40 [REDACTED] also spoke with Per. 47 [REDACTED] and [REDACTED] to let them know WHORM was not receiving all of the records that they should be from FPOTUS.

**[Page 3 of Older Notes]**

Per. 40 [REDACTED] had a meeting with Per. 14 [REDACTED] on August 28, 2018 about various topics. One topic was regarding documents Per. 40 [REDACTED] knew had been shown at Bedminster. Per. 40 [REDACTED] wanted to obtain these documents and spoke about it with Per. 14 [REDACTED]. Additionally, Per. 40 [REDACTED] was sure some documents went to Mar-a-Lago, which WHORM never received as required. Per. 40 [REDACTED] would see them on TV at Mar-a-Lago, but then wouldn't receive them. Per. 40 [REDACTED] was unsure of what the exact disposition of the documents was (i.e. if the documents ever came back from Mar-a-Lago, if the documents remained there, or if the documents were destroyed).

**[Page 4 of Older Notes]**

At a Staff Secretary meeting on September 11, 2018, Per. 40 [REDACTED] discussed the Kim Jong-un letter, as well as not receiving briefing papers and other documents from senior officials. One format of information going to FPOTUS was a collection of news articles from the Drudge Report, which somebody

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would print out and number to send to FPOTUS. Per. 40 questioned how the Drudge Report documents were being put together.

**[Page 5 of Older Notes]**

Per. 40 was a part of a Staff Secretary meeting P. 40 estimated may have occurred on July 23, 2019. Per. 40 believed it was in this meeting that Per. 14 told Per. 40 that FPOTUS did not "trust the system." However, the notes appeared to be in preparation for the meeting, as opposed to being taken during the meeting.

**[Page 6 of Older Notes]**

Per. 14 and Per. 40 had a meeting on February 25, 2020. They discussed items WHORM received from FPOTUS and which items WHORM was not getting. Per. 14 told Per. 40 Per. 14 would "check on it." Per. 40 believed Per. 14 would have had to ask for permission to go and obtain documents from FPOTUS' office or residence. Per. 40 also felt Per. 14 had actually seen the 24 boxes at some point, which is how Per. 40 knew it existed.

**[Page 7 of Older notes]**

Per. 27, Per. 38, Per. 37 and Per. 40 had a meeting on January 16, 2021. Per. 40 told Per. 27, Per. 37 and Per. 38 to speak with Per. 14 about the missing documents. By this point, Per. 14 had left the White House and moved to [REDACTED]. Per. 27 told the group there were a few boxes which contained news clippings. Per. 37 said to send them all to WHORM or NARA. Per. 14 had since [REDACTED], though Per. 40 did not know what P. 14 was doing. Per. 40 had spoken to Per. 14 three or four times since the end of the 45th Administration, though not about the records matter. Additionally, in this meeting, Per. 27, Per. 38, and Per. 37 expressed hesitancy about sending the original of the OBAMA letter to NARA. They did not know WHORM already had a copy of the OBAMA letter. At the end of the meeting, Per. 27 told Per. 40 that FERRIERO spoke highly of P. 40 after having learned who Per. 40 was.

**[Page 8 of Older Notes]**

Per. 40 spoke to Per. 47 in January of 2021 regarding OBAMA Administration records that were still preserved. The 45th Administration still had some records that had been preserved from the OBAMA Administration. NARA and WHORM had to have a call with OBAMA representatives, BIDEN officials, and FPOTUS representatives to discuss these records. Additionally, Per. 40 estimated there were probably 30 boxes of records WHORM and NARA had not

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received. This number was based on the 24 boxes Per. 40 was aware of, plus a few to allow for the passage of time. Per. 40 just guessed an additional six boxes had probably been kept by FPOTUS. At this point, both Per. 38 and Per. 37 knew all documents had to go to NARA. Per. 40 told as many people about this as possible because P. 40 was not confident the documents would be sent to NARA, as appropriate.

[Agent Note: The remainder of the interview was not tied to specific notes or exhibits.]

Per. 40 was not involved in any of the final packing at the end of the 45th Administration. Per. 40 and Per. 40 do try to go to every office and let staffers know they are doing a last sweep for records. This typically is the responsibility of each staffer to actually pack up, but Per. 40 and P. 40 may do so if documents are left behind. Per. 40 and Per. 40 do not go to the Oval Office, the White House Residence, or other adjacent offices to look for documents.

Over the course of the 45th Administration, Per. 40 had seen torn documents, documents with stains from drinks from being thrown in the trash, crumpled documents, documents missing pages, and other forms of damage to documents. This included classified documents. These damaged documents came from numerous places to include FPOTUS' offices, Mar-a-Lago, Bedminster, Air Force One, and other locations. These documents ultimately came to WHORM.

Throughout his career Per. 40 has had occasional concerns with prior administrations over the treatment and retention of documents. These concerns never rose to the level that Per. 40 felt during the TRUMP administration, as these types of records management issues were an everyday occurrence. During the TRUMP administration, Per. 40 felt the management of documents was so far out of the norm that P. 40 had to raise it repeatedly with Staff Secretaries and other officials.

Per. 40 was not completely surprised regarding the FBI search of Mar-a-Lago, because P. 40 knew these issues were ongoing. P. 40 felt good and that P. 40 had been proven right. P. 40 was also glad documents were found and recovered, because P. 40 had tried for so long to manage the documents. Per. 40 felt it did not need to come to the level of an FBI search, but FPOTUS and his staff brought it to that point by not being appropriately concerned with the management of records.

The original Agent notes and a working copy of the audio recording will be maintained in the attached 1A.

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